



RCE/3721

PTO/SB/30 (09-03)  
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Request  
for  
Continued Examination (RCE)  
Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/492,811
Filing Date	January 28, 2000
First Named Inventor	John W. BECKER
Art Unit	3721
Examiner Name	DESAI
Attorney Docket Number	7436.100

25/Request for RCE  
w/Ex (3)  
w/Mya-  
2/10/04

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 50-0548
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 975.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

01/26/2004 HDERESS1 00000145 09492811

01-FC-2253

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Thomas P. Liniak	Registration No. (Attorney/Agent)	33.415
Signature	<i>Thomas P. Liniak</i>	Date	1/22/2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

TECHNOLOGY CENTER R3700

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385.00 DP

43.00 DP

72.00 DP

02 FC:2801

03 FC:2201

04 FC:2202



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: John W. Becker  
Appl. No.: 09/492,811 Group Art Unit: 3721  
Filed: January 28, 2000 Examiner: Desai  
For: METHOD AND APPARATUS FOR PACKING PERISHABLE GOODS

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

**BOX RCE**

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

TECHNOLOGY CENTER R3700

JAN 28 2004

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Sir:

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified Application.

The Submission required under 37 CFR 1.114 is submitted herewith as a Response and Amendment After Final and it is requested that this Response and Amendment After Final filed be entered and considered.

A petition of an extension of time for a total period of three (3) months to file this request is filed simultaneously herewith together with a check in payment of the three month extension fee and the Request for Continued Examination fee, both as a small entity.

It is not believed that extensions of time or fees are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for

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Filing Date: January 28, 2000  
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net addition of claims) is hereby authorized to be charged to Deposit Account No. 50-0548 and  
notify the undersigned.

Respectfully submitted,



Thomas P. Liniak  
Registration No. 33,415

Date: 1/22/04

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